

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Carl Towns et al.

Application No.: 10/532,835

Confirmation No.: 8863

Filed: April 26, 2005

Art Unit: 1626

For: NEW METHOD FOR THE PRODUCTION OF
MONOMERS USEFUL IN THE
MANUFACTURE OF SEMICONDUCTIVE
POLYMERS

Examiner: R. T. Shiao

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed May 10, 2007, applicant hereby provisionally elects group I, claims 1-15 and 26 for continued examination, with traverse.

The Examiner has required restriction between

- I. Claims 1-15 and 26 in part, drawn to processes of making compounds of formula (IV), wherein the variable R, R₁-R₂, Ar¹, Ar², S¹, or S² independently do not represent heteroaryl group, the variable R, R₁-R₂, Ar¹, Ar², S¹, or S² independently is not substituted with heteroaryl group. If this group is elected, applicants are requested to elect a single species for the search purpose.
- II. Claims 1-15 and 26 in part, drawn to processes of making compounds of formula (IV), wherein the variable R, R₁-R₂, Ar¹, Ar² independently do not represent heteroaryl group, the variable R, R₁-R₂, Ar¹, Ar² independently is not substituted with heteroaryl group, the variable S¹ or S² represents heteroaryl selected from thiophene thereof. If this group is elected, applicants are requested to elect a single species for the search purpose.
- III. Claims 1-15 and 26 in part, drawn to processes of making compounds of formula (IV), containing compounds of formula (IV) not encompassed in Groups I-II. If this group is elected, applicants are requested to elect a single species for the search purpose. It is subject further restriction if it is elected.

- III. Claims 16-22, in part, drawn to compounds of formula (V), wherein the variable R₁-R₂, Ar¹ or Ar² independently do not represent heteroaryl group, the variable R₁-R₂, Ar¹ or Ar² independently is not substituted with heteroaryl group. If this group is elected, applicants are requested to elect a single species for the search purpose.
- IV. Claims 23, in part, drawn to compounds of formula (VI), wherein the variable R₁-R₂ independently do not represent heteroaryl group, the variable R₁-R₂ independently is not substituted with heteroaryl group. If this group is elected, applicants are requested to elect a single species for the search purpose.
- V. Claims 25, in part, drawn to processes of making compounds of formula (IV), wherein the variable R, R₁-R₂, Ar¹, Ar², S¹, or S² independently do not represent heteroaryl group, the variable R, R₁-R₂, Ar¹, Ar², S¹, or S² independently is not substituted with heteroaryl group. If this group is elected, applicants are requested to elect a single species for the search purpose.

For the single disclosed species the applicant elects asymmetric compound 1:

9-phenyl-9'-(tert-butylphenyl)-2,7-dibromofluorene as disclosed in the examples.

Applicants respectfully traverse the Restriction requirement because the U.S. Patent and Trademark Office has not carried forward its burden of proof to establish distinctness.

In particular, MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicants respectfully traverse the outstanding Election requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 14113-00039-US from which the undersigned is authorized to draw.

Dated: June 4, 2007

Respectfully submitted,

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